



DECLARATION FOR UTILITY PATENT APPLICATION

AS A BELOW-NAMED INVENTOR, I HEREBY DECLARE THAT:

My residence, post office address, and citizenship are as stated below next to my name.

I believe I am the original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled: **TRANSDERMAL DELIVERY OF LASOFOXIFENE** the specification of which was filed on **May 31, 2001**, as United States Application Serial No. **09/871,318**.

I HEREBY STATE THAT I HAVE REVIEWED AND UNDERSTAND THE CONTENTS OF THE ABOVE-IDENTIFIED SPECIFICATION, INCLUDING THE CLAIMS, AS AMENDED BY ANY AMENDMENT REFERRED TO ABOVE.

I acknowledge the duty to disclose information which is material to the patentability as defined in 37 C.F.R. § 1.56.

I hereby claim foreign priority benefits under 35 U.S.C. § 119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate, or § 365(a) of any PCT International application which designated at least one country other than the United States listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or PCT International application having a filing date before that of the application on which priority is claimed:

Application No.	Country	Date of Filing (day/month/year)	Priority Claimed?
			<input type="checkbox"/> Yes <input type="checkbox"/> No

I hereby claim benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below:

Application Serial No.	Filing Date
60/208,789	June 1, 2000

I hereby claim the benefit under 35 U.S.C. § 120 of the United States application(s), or § 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. § 112, I acknowledge the duty to disclose information which is material to patentability as defined in 37 C.F.R. § 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

Application Serial No.	Filing Date	Status
		<input type="checkbox"/> Patented <input type="checkbox"/> Pending <input type="checkbox"/> Abandoned

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or

imprisonment, or both, under § 1001 of Title of 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Date: Sept. 21 '01

By: David Fikstad

Name: David Fikstad

Residence: 726 South Green Street, Salt Lake City, Utah 84102

Citizenship: United States of America

Post Office Address: 726 South Green Street, Salt Lake City, Utah 84102

Date: Sept. 25, 2001

By: Danyi Quan

Name: Danyi Quan

Residence: 4156 South Meagan Circle, Salt Lake City, Utah 84107

Citizenship: China

Post Office Address: 4156 South Meagan Circle, Salt Lake City, Utah 84107

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application for:

David FIKSTAD and Danyi QUAN

Serial No.: 09/871,318

Filing Date: May 31, 2001

For: TRANSDERMAL DELIVERY OF  
LASOFOXIFENE

Examiner: Not Yet Assigned

Group Art Unit: Not Yet Assigned

**PROSECUTION BY ASSIGNEE AND POWER OF ATTORNEY  
UNDER 37 C.F.R. § 3.71**Commissioner for Patents  
Washington, D.C. 20231

Sir:

Watson Pharmaceuticals, Inc., the assignee of the entire right, title and interest in this patent application, under 37 C.F.R. § 3.71 hereby appoints:

Attorney	Registration No.	Attorney	Registration No.
David Beck	37,776	John W. Calkins	43,523
Patricia R. Coleman James	37,155	Terry Garnett	44,698
Carol M. Gruppi	37,341	Antoinette F. Konski	34,202
David W. Maher	40,077	Michael J. Shuster	41,310
William E. Thomson, Jr.	20,719	Michele T. Wasmuth	43,239
Michael E. Woods	33,466		

all of the firm McCutchen Doyle Brown & Enersen LLP, Three Embarcadero, Suite 1800, San Francisco, CA 94111-4067, to prosecute this application and transact all matters in the United States Patent and Trademark Office connected therewith, said appointment to be to the exclusion of the inventors and their attorneys in accordance with the provisions of 37 C.F.R. § 3.71.

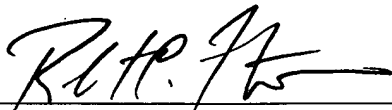
Please direct all written communications relative to this application to:

Antoinette F. Konski  
McCutchen Doyle Brown & Enersen LLP  
Three Embarcadero, Suite 1800  
San Francisco, CA 94111-4067

Please direct all telephone communications to Antoinette F. Konski at (650) 849-4950.

WATSON PHARMACEUTICALS, INC.

Dated: 9-26-01

By:   
Name: Robert C. Funsten  
Title: Senior Vice President, General  
Counsel and Secretary  
Address: 311 Bonnie Circle  
Corona, California 92880

## ASSIGNMENT (JOINT)

THIS ASSIGNMENT, by **David Fikstad and Danyi Quan** (hereinafter referred to as the assignors), residing at **726 South Green Street, Salt Lake City, Utah 84102, U.S.A. and 4156 South Meagan Circle, Salt Lake City, Utah 84107, U.S.A.**, respectively, witnesseth:

WHEREAS, said assignors have invented certain new and useful improvements in **TRANSDERMAL DELIVERY OF LASOFOXIFENE**, set forth in an application for Letters Patent of the United States, bearing Serial No. **09/871,318**, filed on **May 31, 2001**; and

WHEREAS, **Watson Pharmaceuticals, Inc.**, a corporation duly organized under and pursuant to the laws of **Nevada** and having its principal place of business at **311 Bonnie Drive, Corona, California 92880 U.S.A.** (hereinafter referred to as the assignee) is desirous of acquiring the entire right, title and interest in and to said inventions and said application for Letters Patent of the United States, and in and to any Letters Patent or Patents, United States or foreign, to be obtained therefore and thereon;

NOW, THEREFORE, in consideration of One Dollar (\$1.00) and other good and sufficient consideration, the receipt of which is hereby acknowledged, said assignors have sold, assigned, transferred and set over, and by these presents does sell, assign, transfer and set over, unto said assignee, its successors, legal representatives and assigns, the entire right, title and interest in and to the above-mentioned inventions, application for Letters Patent, and any and all Letters Patent or Patents in the United States of America and all foreign countries which may be granted therefore and thereon, and in and to any and all divisions, continuations, and continuations-in-part of said application, or reissues or extensions of said Letters Patent or Patents, and all rights under International Convention for the Protection of Industrial Property, the same to be held and enjoyed by said assignee, for its own use and the use of its successors, legal representatives and assigns, to the full end of the term or terms for which Letters Patent or Patents may be granted, as fully and entirely as the same would have been held and enjoyed by the assignors, had this sale and assignment not been made.

AND for the same consideration, said assignors hereby covenant and agree to and with said assignee its successors, legal representatives and assigns, that, at the time of execution and delivery of these presents, said assignors are the joint and lawful owners of the entire right, title and interest in and to said inventions and the application for Letters Patent above-mentioned, and that the same are unencumbered and that said assignors have good and full right and lawful authority to sell and convey the same in the manner herein set forth.

AND for the same consideration, said assignors hereby covenant and agree to and with said assignee, its successors, legal representatives and assigns, that said assignors will, whenever counsel of said assignee, or the counsel of its successors, legal representatives and assigns, shall advise that any proceeding in connection with said inventions, or said application for Letters Patent, or any proceeding in connection with Letters Patent for said inventions in any country, including interference proceedings, is lawful and desirable, or that any division, continuation or continuation-in-part of any application for Letters Patent or any reissue or extension of any Letters Patent, to be obtained thereon, is lawful and desirable, sign all papers and documents, take all lawful oaths, and do all acts necessary or required to be done for the procurement, maintenance, enforcement and defense of Letters Patent for

said inventions, without charge to said assignee, its successors, legal representatives and assigns, but at the cost and expense of said assignee, its successors, legal representatives and assigns.

AND said assignors hereby request the Commissioner for Patents to issue said Letters Patent of the United States to said assignee as the assignee of said inventions and the Letters Patent to be issued thereon for the sole use of said assignee, its successors, legal representatives and assigns.

Sept. 20 '01  
Date

Sept. 25, 2001  
Date

David Fikstad  
Name: **David Fikstad**

Danyi Quan  
Name: **Danyi Quan**



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application for:

David FIKSTAD and Danyi QUAN

Serial No.: 09/871,318

Filing Date: May 31, 2001

For: TRANSDERMAL DELIVERY OF  
LASOFOXIFENE

Examiner: Not Yet Assigned

Group Art Unit: Not Yet Assigned

**CERTIFICATE UNDER 37 C.F.R. § 3.73(b)**

WATSON PHARMACEUTICALS, INC., a Nevada corporation certifies that it is the assignee of the entire right, title and interest in the patent application identified above by virtue of either:

A. ☒ An assignment from the inventors of the application identified above. The assignment is being filed under separate cover and a copy thereof is attached.

OR

B. ☐ A chain of title from the inventor(s), of the patent application identified above, to the current assigned as shown below:

1. From: \* To: \*

The document was recorded in the Patent and Trademark Office at Reel \*, Frame \*, or for which a copy thereof is attached.

2. From: \* To: \*

The document was recorded in the Patent and Trademark Office at Reel \*, Frame \*, or for which a copy thereof is attached.

3. From: \* To: \*

The document was recorded in the Patent and Trademark Office at Reel \*, Frame \*, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

☐ Copies of assignments or other documents in the chain of title are attached.


The undersigned has reviewed all the documents in the chain of title of the patent application identified above and, to the best of the undersigned's knowledge and belief, title is in the assignee identified above.

I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements are made with

the knowledge that willful false statements and the like so made, are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

WATSON PHARMACEUTICALS, INC.

Dated: 9-26-01

By:   
Name: Robert C. Funsten  
Title: Senior Vice President, General  
Counsel and Secretary